

REMARKS

Claims 17, 19-26, 28-34, 36-41, and 43-52 are pending in this application, with claims 17, 32, 47, and 50 being independent. Claims 1-16, 18, 27, 35, and 42 have been canceled.

Claims 17, 21, 32, 47, 50, and 51 have been amended. No new subject matter has been added.

Applicant respectfully requests reconsideration of the claims in view of the following remarks.

Claims 17, 20, 26, 32-33, 41, 47, and 50 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Russell, et al. (U.S. Patent No. 5,526,407, hereinafter "Russell") in view of Yamamoto, et al. (U.S. Patent No. 4,355,338, hereinafter "Yamamoto"). The remaining claims have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Russell in view of Yamamoto in further view of other prior art. Applicant respectfully traverses these rejections.

Claim 17 has been amended to recite, "each signal pause data block contains a signal pause data block identifier and signal pause duration data specifying a length of a pause between audio events." Russell and Yamamoto do not teach or suggest this limitation. Russell clearly teaches that speech is annotated by start time and end time, but does not disclose a signal pause data block that has signal pause duration data specifying a length of a pause between audio events. (See Russell, Figure 4.) Russell only teaches storing data pertaining to audio phrases themselves but does not disclose any data structures devoted to storing pauses between audio phrases. (See, for example, Russell, Figure 17).

The Advisory Action dated November 15, 2010 states:

Russell further disclosed in col. 13, lines 58-59 that speech pauses can be re-detected and time stamped. Russell's disclosure shows that identifying pauses and their duration is well known in the art. Therefore, Examiner considers the element being argued by Applicant, i.e. "each signal pause data block contains a signal pause data block identifier and a signal pause duration data" to be either implicitly disclosed by Russell or an implementation choice that can be easily derived from

Russell's disclosure. It does not have any essential impact on the novelty of the invention.

Applicant notes that the amended limitation is not implicitly disclosed by Russell. Lines 58 and 59 of column 13 of Russell states, "Certain parameters, such as the speech pauses are re-detected and time stamped. The temporal pattern of these parameters is then matched with the earlier stored temporal pattern." Russell, however, does not disclose data structures devoted to storing pauses between audio phrases. Even if the speech pauses are time stamped, there is no teaching of a signal pause duration data specifying a length of a pause between audio events.

Yamamoto, which was used by the Examiner to address other claim limitations, also does not teach or suggest a pause data block containing a signal pause data block identifier and signal pause duration data specifying a length of a pause between audio events. Applicant further notes that during the Examiner telephone interview of October 26, 2010, the Examiner had indicated that Applicant's amendment would likely overcome the prior art of record. Applicant, therefore, respectfully submits that claim 17 is patentable over the prior art of record.

Claims 19-26 and 28-31 depend from claim 17 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

Claim 32 has been amended to recite, "converting the analog audio signal played at an increased speed into digital audio data comprising audio information data and signal pause duration data specifying a length of a pause between audio events." As discussed hereinabove with respect to claim 17, the prior art of record does not teach or suggest signal pause duration data specifying a length of a pause between audio events. Applicant, therefore, respectfully submits that claim 32 is patentable over the prior art of record.

Claims 33, 34, 36-41, and 43-46 depend from claim 32 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

Claim 47 recites, "converting the analog audio signal played at an increased speed into digital audio data having audio information data and signal pause duration data, the signal pause duration data specifying a length of a pause between audio events." As discussed hereinabove with respect to claim 17, the prior art of record does not teach or suggest signal pause duration data specifying a length of a pause between audio events. Applicant, therefore, respectfully submits that claim 47 is patentable over the prior art of record.

Claims 48 and 49 depend from claim 47 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

Claim 50 recites, "each signal pause data block contains a signal pause data block identifier and signal pause duration data specifying a length of a pause between audio events." As discussed hereinabove with respect to claim 17, the prior art of record does not teach or suggest this limitation. Applicant, therefore, respectfully submits that claim 50 is patentable over the prior art of record.

Claims 51 and 52 depend from claim 50 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding new limitations.

Applicant has made a diligent effort to place the claims in condition for allowance.

However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Benjamin E. Nise, Applicant's attorney, at 972-732-1001 so that such issues may be resolved as expeditiously as possible. The Commissioner is hereby authorized to charge, or credit any overpayment, to Deposit Account No. 50-1065.

Respectfully submitted,



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Date

Benjamin E. Nise
Attorney for Applicant
Reg. No. 55,500

SLATER & MATSIL, L.L.P.
17950 Preston Rd., Suite 1000
Dallas, Texas 75252
Tel.: 972-732-1001
Fax: 972-732-9218